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CHIEF JUDGE SUSAN J. DLOTT**United States District Court**

DEC - 3 2009

for

Southern District of Ohio

UNITED STATES DISTRICT COURT

Petition for Warrant for Offender Under SupervisionName of Offender: **Norman McCrary**Case Number: **1:91CR00132**Name of Sentencing Judicial Officer: **The Honorable Susan J. Dlott, Chief United States District Judge**Date of Original Sentence: **July 24, 1992**Original Offense: **Count 1: Conspiracy to Distribute Cocaine, in violation of Title 21, U.S.C. 846, a Class A felony and Count 2: Possession of Crack Cocaine, in violation of Title 21 U.S.C. 844, a Class C felony**Original Sentence: **240 month(s) prison on Count 1 and 60 months on Count 2, followed by 120 month(s) supervised release**Type of Supervision: **Supervised Release**Date Supervision Commenced: **July 15, 2009**Assistant U.S. Attorney: **William Hunt, Esq**Defense Attorney: **Richard Smith-Monohan**

PETITIONING THE COURT

- ☒ To issue a warrant: Currently in the Hamilton County Justice Center
☐ To issue an Order to Appear and Show Cause
☐ To grant an exception to revocation without a hearing.

Violation NumberNature of Noncompliance

#1

Standard Condition: You shall not commit another Federal, state, or local crime. On October 31, 2009, a complaint was filed against McCrary for assault in Hamilton County, Ohio (09-CRB-37165). The case has been continued until December 3, 2009.

In addition, on November 2, 2009, McCrary was again charged with two counts of felonious assault and charged with a felony (B0907646). The cases have been continued until December 9, 2009.

U.S. Probation Officer Recommendation: On December 22, 2008, Mr. McCrary was released from prison to the Talbert House, residential re-entry center, in Cincinnati, Ohio, so that he could transition back into society as he had been incarcerated since 1992. While there, he had problems adjusting, was often frustrated and angry. He was terminated unsuccessfully from TDAT (Transitional Drug Abuse Treatment) for missing three scheduled sessions. As a result, he was terminated from the program and sent back to prison.

On July 15, 2009, McCrary was released to begin his term of supervised release. Since being on supervision, he has tried to find steady employment. He said it is hard for him adjusting to all of the changes in life as he was incarcerated for so long. This officer talked with him about being referred to counseling to help him with the adjustments he was facing; however, at the time, he did not want to attend any counseling. Over the next couple months, he said things were going okay, but he appeared very untrusting of others.

Re: McCRARY, Norman

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On one occasion, this officer was conducting a home visit and was approached by a neighbor. She stated she was very fearful of the defendant stating that he and others in his family were harassing her children and bullying them. She had called the police, but nothing was being done.

The above pending charges are against, victim, Ruth Stacy. On October 31, 2009, she filed a complaint that he struck her several times with his fist. The other two charges indicate that McCrary attempted serious physical harm and was in possession of a brick used against Ms. Stacy. McCrary has appeared in Court on all charges and bond has been set at \$400,000.00, 10% cash, which he has not been able to pay.

This officer has also met two of McCrary's family members. They indicated that McCrary has changed dramatically as a result of being in prison for so long. They feel he needs counseling as he is very angry and unable to handle life.

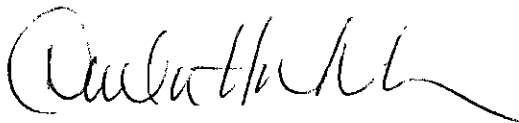
Although the cases above are pending, due to the safety of the victim in this case and the community, it is respectfully recommended that a warrant be issued for McCrary so that he is not released should he make bond while the cases are pending. This officer will notify the Court of the outcome of the pending cases.

The term of supervision should be

- ☒ Revoked.
☐ Extended for _____ years, for a total term of _____ years.
☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **December 2, 2009**



Darla J. Huffman
U.S. Probation Officer

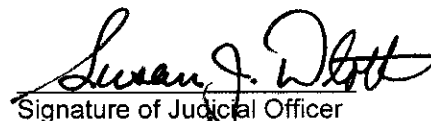
Approved by



John Cole
Supervising U.S. Probation Officer
Date: **December 2, 2009**

THE COURT ORDERS:

- ☐ No Action
☒ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest.
☐ The Issuance of an Order to Appear and Show Cause
☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
☐ Other



Signature of Judicial Officer

12/9/09
Date